

Town of Empire

30 East Park Avenue/ PO Box 100
Empire, Co 80438
303.569.2978/ fax 303.569.2282
www.empirecogov.us

Board of Trustees Present

Mayor Sprague, Tim Davis, Brian Gilbert, Patrick Adams, Denise Tennant, Wendy Koch, Shawn Mcelroy

Town Attorney

Jordan Lubeck

Public Works

Richard McClellan

Town Clerk

Nichole Davis Lentz - Absent

Public

Mayor Sprague called the meeting to order at 18:38

Approval of Agenda

TRUSTEE GILBERT MOVED TO APPROVE THE AGENDA FOR THE REGULAR SCHEDULED BOARD OF TRUSTEE'S MEETING ON NOVEMBER 21, 2017, TRUSTEE DAVIS PROVIDED THE SECOND AND ALL WERE IN FAVOR.

Approval of Minutes

TRUSTEE GILBERT MOVED TO APPROVE THE REGULAR SCHEDULED OCTOBER 17, 2017 MINUTES, TRUSTEE TENNANT PROVIDED THE SECOND AND ALL WERE IN FAVOR.

Adjournment

TRUSTEE KOCH MOVED TO ADJOURN THE NOVEMBER 21, 2017 BOARD OF TRUSTEES MEETING. TRUSTEE TENNANT PROVIDED THE SECOND AND ALL WERE IN FAVOR.

*Due to recorder error, there are no verbal minutes available.

Mayor Sprague

x 

Attest:
Town Clerk
x 

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November 1, 2017
Called to order at 18:47

Planning Commission Members Present

Chairperson, Sue Hauser, Mayor Sprague, Sally Rush, Buzz Chandler, Melissa Davis

Audience

None Present

Approval of Agenda

MAYOR SPRAGUE MOVED TO APPROVE THE REGULAR SCHEDULED PLANNING COMMISSION AGENDA FOR NOVEMBER 1, 2017, MS. DAVIS PROVIDED THE SECOND AND ALL WERE IN FAVOR.

Approval of September 27, 2017 Minutes

MS. RUSH MOVED TO APPROVE THE PLANNING COMMISSION MINUTES FOR SEPTEMBER 27 2017, WITH NO CORRECTIONS. MS. DAVIS PROVIDED THE SECOND AND ALL WERE IN FAVOR.

Public Comment

There was no public present to comment.

Mayor's Report

Mayor Sprague reported that the Town is selling the rock in the Ball Placier for \$30 a truck load.

Conditional Use Permit for Short-term Rentals

Ms. Rush presented a copy of the Clear Creek County regulations for short term rentals. Mr. Chandler provided a copy of Georgetown's regulations. After reviewing the information, we are recommend the following requirements:

- Short-term rentals will be allowed in all zoning districts, but the applicant must own the property and all improvements.
- We will use the definition of short-terms rentals provided by the Town attorney, This definition should exclude Bed and Breakfast's.
- Conditional Use permits for short-term rentals shall have a one year term.
- The application and renewal fee will be the same, (currently \$250.00)
- Short-term rental permits may be used only for the property which they are issued and are not transferable upon the sale of the property.
- No signage will be allowed,
- Any violation of the Town Ordinances can constitute the immediate suspension of the Conditional Use Permit, until a hearing is held.
- A list of rules shall be posted in a conspicuous place in the rented area, including:

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- Contact information for an emergency contact person, available 24 hours and within an hour driving time.
- The day of trash collection.
- Town policies on fires, firearms, dogs, noise, etc.
- A map detailing the rental boundaries, and the appropriate parking spaces.
 - Applicant shall provide a signed affidavit attesting to the safety of the rental, including but not limited to:
 - Adequate liability insurance for the duration of the permit.
 - Operable fire extinguishers, smoke alarms and CO2 monitors.
 - Adequate egress for all sleeping rooms.
 - Adequate parking as required by Ordinance 170.
 - Compliance with the terms and conditions set forth herein shall be the non-delegable responsibility of the owner of the short term rental; and each owner of a short term rental shall be strictly liable for complying with the conditions set forth by the Empire Board of Trustees.

We will add the following clause either to the Nuisance Ordinance or the General Offenses Ordinance:

- Persons found by the Municipal Court to be in violation of the requirement to have a conditional use permit for short-term rentals shall be punished by fine only, the amount to be set by resolution by the Empire Board of Trustees.

Ordinance 170 revisions for short term rentals.

The commission revised the changes to Ordinance 170 as follows:

ARTICLE II Basic Definitions And Interpretations

- Use the definitions from the Town attorney for Short-term Rentals and Primary Residence.

ARTICLE VIII Supplementary District Regulations

- Eliminate 4.2.9 which excludes short-term rentals as a home occupation.
- Eliminate 5.1.6 which allowed Short-term rentals only in the R-C District.
- Remove "is only allowed in the R-C District" from the 5.1.7
- Add "Short-term rental permit" to 5.1.7(c)
- Add (e)"A list of rules posted in a conspicuous place inside the rental."
- Add (f) "An affidavit on file attesting to adequate insurance and the safety of the rental."
- Change 5.1.7 to 5.1.6

The planning commission will send these changes to the Board for their December meeting and will have the Conditional Use Application for Short-term Rental complete before final reading of the changes to Ordinance 170.

Ordinance 246 – General Offenses

The Planning Commission tabled discussion until the January meeting.

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Next Meeting

We will hold our next meeting on the last Wednesday of January 2018.

Adjournment

MR. ADAMS MOVED TO ADJOURN THE MEETING AT 19:45, MS. RUSH PROVIDED THE SECOND AND ALL WERE IN FAVOR.



Chairperson, Sue Hauser

ATTEST:



Town Clerk, Nicole Davis-Lentz

